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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,152	01/25/2002	David Berry	2982P008	4048

8791 7590 03/25/2005

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EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/058,152	BERRY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ba Huynh	2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2 and 4-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 101*

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

1. Claim 34 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed "computer readable medium" as defined in the specification, page 37, as carrier waves, is non-statutory as not being tangible, incapable of being touched or perceived.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

~~(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.~~

2. Claims 1, 2, 4-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication #20050050164 (Burd et al).

- As for claim 1: Burd et al (herein Burd) teach a computer implement method and corresponding system for facilitating the update of a plurality of user interface categories utilizing a single application program, comprising the steps/means for: generating, at a server computer system 500, a user interface data message wherein the message includes the plurality of user interface categories (0031-0033, 0040) and the single client application program (0045), wherein the single client application executes at a client computer system, wherein each user interface category includes a user interface element (0045, 0076, 0081-0083); communicating the user interface data message from the server computer to the client computer (0045, 0076, 0081-0083); receiving a user interface update message (e.g., from a database, 0045, 0096), at the server computer system, wherein the user interface update message includes an update to the plurality of user interface categories (e.g., 6:64 – 7:5); and communicating a user interface update message from the server computer system, in response to the received message, to the client computer system to enable the single client application program at the client computer system to update the plurality of user interface categories. ~~The single computer program at the client computer~~ communicates the update to a script and the update in turn updates the user interface element (0045, see explanation of figs 3, 6). It is noted in the above embodiment the server-side databases (0045, 0096) are integrated within the server as a single unit. However Burd further suggests that the above embodiment can be implemented in a network wherein the server 500 is connected to a router or a server (0081). In this

connection the router (in this case acting as the “first computer”) would receive the UI update message from the server 500 and forward the message to the client computer 546. The implementation would have been obvious to one of skill in the art, at the time the invention was made, in light of Burd’s suggestion. Alternatively, Official notice is further taken that implementation of server-side databases as separate units connected to the server 500 would have been obvious to one of skill in the art. Motivation of the implementation is for the advantage of network management and maintenance. In this modification, the server-side databases send UI update message to the server 500 for sending the UI message update to the client 546.

- As for claim 2: The first computer comprises a server 500 and the second computer comprises a client 546 (0081, fig. 1).
- As for claims 4, 33: The second computer generates a user interface element table wherein the table includes a call back function script and subscription subjects for each user interface element (0033-0036).
- As for claim 5: The second computer read the user interface element table is read and invoking the appropriate call-back script (0034)
- As for claim 6: The call back function script updates the user interface element with a display object model method (0033-0037, 0043-0044).
- As for claim 7: The single application program populates a browser array with a name value pair for the user interface element (0068-0074, 0090, fig. 4).

- As for claim 8: The single client application program communicates the user interface update message to a script, and the script in turn updates the user interface element, wherein the script read a name value pair from the browser array (0028, 0034, 0043-0045).
- As for claims 9, 32: Each user interface element is constructed from a text embedded with tags (see explanation of figures 1, 4).
- As for claims 10, 11: The text embedded with tags is implemented in HTML special generalized mark-up language (0029, figure 4).
- As for claim 12: The SGML is XML (0029).
- As for claim 13: Burd fails to clearly teach a SOAP protocol defining message framework for transferring UI data message, however suggests that protocol other than the disclosed HTTP can also be used (0030). Official notice is taken that implementation of SOAP protocol is well known in the art as a simple message protocol, and the combining would have been obvious in light of Burd's suggestion.
- As for claims 14, 15: It is well known that HTML 4.0 provides author's control over how pages are organized by adding support for Style Sheet or Cascading Style Sheet, which define how and where GUI elements are displayed in Web pages. (see US patent #6,715,145; US patent application publication 2003/0145305, par. 0106). Burd disclose HTML having HTTP for transferring user interface data messages between client and server computers . The message defines how user interface elements are to be displayed (0030, figure 3, 4). Thus it appears that Style Sheet and Cascading Style Sheet are implicitly included in Burd's teaching. Even if it is not, it would have been

obvious to one of skill in the art to implement the well known Style Sheet or Cascading Style Sheet to Clark's teaching of HTML. Motivation of the implementation is for providing author's control over how and where GUI elements are displayed in Web pages.

- As for claim 16: The single application program operates under a browser (0045).
- As for claims 17, 31: The single client application program is a Java applet (0045, 0076).
- As for claim 18: The script executes under a browser at the second computer system (0034, 0043, 0045).
- As for claim 19: The single client application program updates at least one of a plurality of user interface categories (figure 1, 4).
- As for claims 20, 22-30, 34: Burd et al (herein Burd) teach a computer implement method and corresponding system for facilitating the update of a plurality of user interface categories utilizing a single application program, comprising the steps/means for:

generating, at a server computer system 500 (first/second computer. Note: The

~~"first/second computer"~~ readable-in-the-interchangeable claim's languages "first computer" and "second computer" recited in claims 20-22-30), a user interface data message wherein the message includes the plurality of user interface categories (0031-0033, 0040) and the single client application program (0045), wherein the single client application executes at a client computer system (second/first computer),

wherein each user interface category includes a user interface element (0045, 0076, 0081-0083);

communicating (multicasting, 0081-0082) the user interface data message from the server computer to the client computer (0045, 0076, 0081-0083); the user interface data message includes a subscription subject message (0032, 0043, 0044)

receiving a user interface update message (e.g., from a database, 0045, 0096), at the server computer system, wherein the user interface update message, for subjects that have been subscribed to (0033, 0045) includes an update to the plurality of user interface categories (e.g., 6:64 – 7:5); and

- communicating a user interface update message from the server computer system, in response to the received message, to the client computer system to enable the single client application program at the client computer system to update the plurality of user interface categories. The single computer program at the client computer communicates the update to a script and the update in turn updates the user interface element (0045, see explanation of figs 3, 6). It is noted in the above embodiment the server-side databases (0045, 0096) are integrated within the server as a single unit.

~~However Burd further suggests that the above embodiment can be implemented in a~~  
network wherein the server 500 is connected to a router or a server (0081). In this connection the router (in this case acting as the “first computer”) would receive the UI update message from the server 500 and forward the message to the client computer 546. The implementation would have been obvious to one of skill in the art, at the time the invention was made, in light of Burd’s suggestion. Alternatively,



Official notice is further taken that implementation of server-side databases as separate units connected to the server 500 would have been obvious to one of skill in the art. Motivation of the implementation is for the advantage of network management and maintenance. In this modification, the server-side databases send UI update message to the server 500 for sending the UI message update to the client 546.

- As for claim 21: Burd discloses that the single client application is a Java applet (0045, 0076). Clark et al fail to clearly teach that the single client application program is a MS Com. However MS Com object is a well known object model among other well known models such as Java applets and servlets (see the applicant spec, par. 39. Also see US patents #6,609,158 and 6,535,913). Implementation of MS COM in place of Java applet would have been an obvious design preference in view of the applicant's specification and US patents #6,609,158 and 6,535,913.

### ***Response to Arguments***

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

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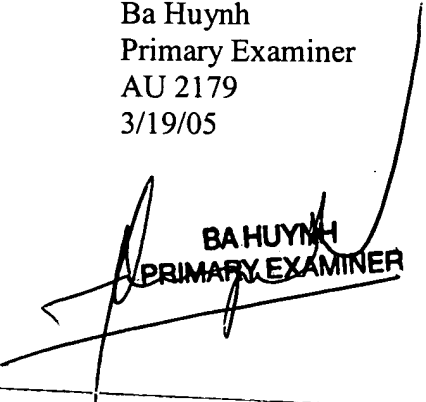
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

Art Unit: 2179

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Primary Examiner  
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3/19/05

  
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